



GOVERNMENT OF KERALA

Abstract

LSGD - Engineering Wing - OA(EKM) 1117/2018 filed by Sri. Krishnan Chirammal, Jr. Supdt (Rtd) - Order dated 05.06.2018 of the Hon'ble Kerala Administrative Tribunal- Complied with - Orders issued.

LOCAL SELF GOVERNMENT (EW) DEPARTMENT

GO(Rt) No.2145/2018/LSGD.

Dated, Thiruvananthapuram, 04/08/2018

- Read:
- 1 Representation dated nil from Sri. Krishnan Chirammal
 - 2 Order of the Hon'ble Kerala Administrative Tribunal dated 05.06.2018 in OA(EKM) 1117/2018.
 - 3 Letter no.A1/8042/2018/CE/LSGD dated 04.07.2018 from the Chief Engineer, LSGD.

ORDER

As per the Order read as 2nd paper above, the Hon'ble Kerala Administrative Tribunal have disposed of OA(EKM) 1117/2018 filed by Sri. Krishnan Chirammal, Jr. Supdt (Rtd); directing the 1st respondent, ie the Govt to consider and pass appropriate orders on Annexure A6 read as 1st paper above, in accordance with law within a period of two months from the date of receipt of a copy of the order.

2. The contentions of the applicant who had retired from service on 31.05.2016 is that he is fully eligible and qualified for promotion to the post of Senior Superintendent, but promotions were not effected due to the absence of a seniority list. Therefore, he has requested to notionally promote him to the said post with effect from the date of occurrence of vacancy and to grant him all consequential benefits.

3. The Chief Engineer, vide letter read as 3rd paper above, has reported that LSGD Engineering Wing was formed on 01.01.2008 by engaging Technical staffs from PWD and Irrigation Department based on option and by absorbing the juniors. As per GO(MS) No. 283/08/LSGD dated 25.10.2008, the Government had ordered to shift 564 ministerial posts in PWD to LSGD by absorbing the posts in PWD. By 2012, the Government had decided to constitute a permanent Ministerial Wing also in the manner of calling option from interested Clerks, Typists and Office Attendants from PWD and Irrigation Department. Later as per GO(Ms)No.52/2016/LSGD dtd 04.03.2016 some supervisory posts including one post each of Administrative Assistant and Senior Superintendent, and 4 Junior Superintendent posts were created, but the sanction to fill up the above post was accorded later as per GO(Ms) No.89/2017/LSGD dated 28.04.2017. In the meantime, the applicant had retired from service on superannuation on 31.05.2016. The petitioner had put forth his claim for promotion in the cadre of Senior Superintendent based on GO(Ms) dated 04.03.2016, wherein sanction to fill up the newly created posts including Senior Superintendent was not made. Hence it has been reported that the claim of the applicant for notional promotion as Senior Superintendent deserves no

merit and it is liable to be declined.

4. Government have examined the matter in deatail. As sanction to fill up the newly created post of Senior Superintendent as per GO(Ms)No.52/2016/LSGD dtd 04.03.2016 was not accorded before his retirement, no recruitment procedure could have been made during his service period. Accordingly, his claim for notional promotion w.e.f the date of occurrence of the said post based on the above GO lacks merit and hence the contentions in Annexure A6 representation is hereby declined.

5. The order of the Hon'ble KAT in OA(EKM) 1117/2018 read as 2nd paper above, is complied with accordingly.

(By Order of the Governor)

SREEJITH.V.P

Under Secretary to Govt.

To

- 1 Sri. Krishnan Chirammal, Jr. Supdt(Rtd) (through the Chief Engineer, LSGD)
- 2 The Advocate General, Ernakulam (with Covering Letter).
- 3 The Chief Engineer, LSGD, Thiruvananthapuram.
- 4 The Accountant General,(A&E/Audit) of Kerala, Thrissur
- 5 The Executive Director, Information Kerala Mission.
- 6 The Web & New Media, I & PRD.
- 7 Stock File/Office Copy.

Forwarded By Order



Section Officer